

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BLEVINS,

No. C 08-2615 WDB

Plaintiff,

ORDER FOLLOWING INITIAL CASE
MANAGEMENT CONFERENCE

v.

HARTFORD LIFE & ACCIDENT,

Defendants.

_____ /

On September 2, 2008, the parties appeared for an Initial Case Management Conference. In their Joint Case Management Statement and on the record during the Conference, the parties indicated that they were amenable to attempting to resolve this action through mediation. Accordingly, the Court decided to defer setting a trial date until after the parties have attended a court-sponsored mediation. The Court encouraged the parties to use the time leading up to the mediation to undertake any surgical discovery that is necessary to have a productive mediation.

The undersigned will forward a copy of this Order to the Court's ADR Department with a request that a mediator with legal expertise in ERISA matters be assigned to the case, and that the mediation take place by November 26, 2008. A member of the ADR Department's staff will contact the parties to provide further details about the mediation. If by September 16, 2008, the parties have not yet heard from a member of the ADR Department or from the assigned mediator, Plaintiff's counsel must call the undersigned's chambers at (510) 637-3324.

1 If the parties are not able to resolve the case through mediation, they must appear (by
2 phone or in person) before the undersigned on **Tuesday, December 9, 2008, at 1:30 p.m.**,
3 for a further case management conference during which the Court will set a trial date. If
4 counsel elect to appear by telephone, Plaintiff's counsel must get Defendant's counsel on the
5 line and call the Court at **(510) 637-3909**.

6 **By no later than Monday, December 8, 2008, at noon**, the parties must e-file a
7 Further Joint Case Management Statement that describes the discovery that has taken place
8 and suggests a specific case development plan, including a schedule for filing motions. The
9 parties must not include in this Statement any information about the substance of their
10 settlement negotiations.

11 If the matter settles before December 9, 2008, the parties must promptly prepare and
12 file dismissal papers and notify the Court by calling (510) 637-3324.

13 IT IS SO ORDERED.

14 Dated: September 2, 2008


WAYNE D. BRAZIL
United States Magistrate Judge